

REMARKS

As noted in Applicants' paper filed June 9, 2005, the finality of the Office Action mailed June 2, 2005 should be withdrawn. There were no amendments to necessitate the new grounds of rejection as explained in the paper filed June 9, 2005. Accordingly, the action of June 2, 2005 is considered non-final.

Claims 1, 5-8, 10 and 24-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by Meijer. This rejection is traversed for the following reasons.

Claim 1 recites "wherein said coolant distribution structure is constructed of a porous material, said coolant entering said coolant inlet and exiting said heat sink to ambient surroundings through pores of said porous material." As described in Applicants' specification, for example, the fins 16 are made from a porous material that allows coolant to escape to the ambient surroundings.

In applying Meijer, the Examiner does not specifically point out which component of Meijer corresponds to the claimed coolant distribution structure. The only porous elements in Meijer are the surface wick 22 and distribution wick 24. With respect to claim 7, the Examiner considers the wicking material in Meijer to correspond to the claimed coolant distribution device. Thus, there is no element in Meijer corresponding to the claimed coolant distribution structure. The fins of evaporator 12 are not porous; the evaporator is a closed loop system which does not allow coolant to exit to the ambient surrounding. Thus, Meijer fails to teach or suggest the features of claim 1.

For the above reasons, claim 1 is patentable over Meijer. Claims 5-8, 10 and 24-27 recite features similar to those in claim 1 and are patentable over Meijer for at least the reasons advanced with reference to claim 1.

Claims 4, 11, 12, 29 and 30 were rejected under 35 U.S.C. § 103 as being unpatentable over Meijer in view of Newton. Claim 4 depends from claim 1, claims 11 and 12 depend from claim 5 and claims 29 and 30 depend from claim 24. Newton was cited for teaching a module attachment structure but fails to cure the deficiencies of Meijer discussed above with respect to claim 1. Thus, claims 4, 11, 12, 29 and 30 are patentable over Meijer in view of Newton for at least the reasons advanced with reference to claim 1.

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Early notification to this effect is respectfully requested.

If there are charges with respect to this matter or otherwise, please charge them to Deposit Account No. 09-0463 maintained by Applicants' Assignee.

Respectfully submitted,

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Date: August 31, 2005